

discontinuous			services
Less than 4 hours in a 12 hour period	no credit	no credit	no credit
4 to 8 hours in a 24 hour period	\$120	\$1000	no credit
8 to 16 hours in a 36 hour period	\$210	\$2100	no credit
16 to 24 hours in a 48 hour period	\$240	\$2400	no credit
24 to 48 hours in a 60 hour period	\$300	\$3000	\$10 per day
More than 48 hours in a 72 hour period	The greater of \$420 or 100% of the total monthly recurring charge	The greater of \$4000 or 100% of the total monthly recurring charge	\$10 per day

B. Whenever an ILEC fails to repair an out-of-service condition for DS-1 or DS-3 service within twenty-four (24) clock hours of notification, it shall credit the pro rata cost of the circuit and trunks to the customer's account.

[17.11.22.15 NMAC - Rp, 17.11.22.15 NMAC, 2-1-06]

17.11.22.16 DIRECTORY ASSISTANCE AND INTERCEPT:

A. An ILEC shall list basic local exchange service customers (except those customers requesting otherwise) in the directory assistance database within twenty-four (24) hours of service connection, except during times of regular maintenance, in which case the listing shall occur within forty-eight (48) hours of service connection.

B. If an ILEC makes an error in the listed number or name of any customer, then until a new directory is published, the ILEC shall make, at no charge to the customer, whatever special arrangements are necessary and reasonable to ensure that calling parties are able to reach the customer whose listed number or name is in error.

C. If an ILEC makes an error in the number, name or address of any listing of any customer, the ILEC shall place the customer's correct name, address and telephone number in the files of the directory assistance and intercept operators within seventy-two (72) hours of confirmation of the error.

D. When a customer's telephone number is changed at the request of the customer after a directory is published, the LEC shall provide intercept service for all calls to the former number for the lesser of sixty (60) days or until a new directory is issued. If the change is made at the initiative of the LEC, the LEC shall provide intercept service for the former number at no charge to the customer for the greater of sixty (60) days or the remaining life of the current directory. The LEC shall provide the correct number to its information operator within twenty-four (24) hours of the number change (except during times of regular maintenance, in which the case the listing shall occur within forty-eight (48) hours of service connection) or send it to the carrier providing information operator service within twenty-four (24) hours if the local exchange carrier does not provide its own service. The LEC's intercept recording shall state how the caller can obtain the new number.

[17.11.22.16 NMAC - Rp, 17.11.22.16 NMAC, 2-1-06]

17.11.22.17 NETWORK CALL COMPLETION REQUIREMENTS FOR DIRECT DIALED CALLS:

A. An ILEC shall maintain sufficient wire center and interoffice channel capacity and any other necessary facilities to meet the following minimum requirements during any normal busy hour:

(1) dial tone within three (3) seconds for ninety-eight (98) percent of call attempts on the switched network;

(2) correct termination of ninety-eight (98) percent of properly dialed intraoffice or interoffice calls within an extended service area; and

(3) correct termination of ninety-eight (98) percent of properly dialed intraLATA calls when the call is routed entirely over the network of the ILEC.

B. Unless otherwise authorized by the commission, a carrier providing toll service shall maintain sufficient switching and network channel capacity and any other necessary facilities so that ninety-eight (98) percent of properly dialed intrastate toll calls are correctly terminated.

C. An ILEC shall terminate a properly dialed call in one of the following ways:

(1) the calling party shall receive an indication of ringing and a ringing signal shall be delivered to the station location of the called party; if the called party answers, a connection shall be established between the calling and called parties;

(2) if the called number is busy, the calling party shall receive a busy signal, unless the called party has subscribed to a voice messaging, call forwarding, or call waiting service;

(3) if the ILEC cannot establish a connection between the calling and called parties, the calling party shall receive an announcement or an appropriate overflow signal that is different than a called party busy signal; a call terminated in this way shall not be considered correctly terminated for purposes of calculating the percentage of correctly terminated calls required by subsections A and B of this section;

(4) if a call is made to a non-working code or inoperative customer number, it shall be directed to the ILEC's intercept service.

[17.11.22.17 NMAC - Rp, 17.11.22.17 NMAC, 2-1-06]

17.11.22.18 NETWORK CALL COMPLETION REQUIREMENTS FOR OPERATOR ASSISTED CALLS: A carrier offering operator assistance to the public shall answer eighty-five (85) percent of directory, intercept, toll and local assistance calls within ten (10) seconds. The following are not answers:

A. an acknowledgement that the customer is waiting on the line;

B. a dropped call;

C. directing the call to a company representative or mechanized system incapable of providing assistance to the customer; or

D. directing the call to a system that will only take a message from the customer.

[17.11.22.18 NMAC - Rp, 17.11.22.18 NMAC, 2-1-06]

17.11.22.19 QUALITY OF SERVICE STANDARDS FOR NON-DESIGNED SERVICES:

A. Installation of primary local exchange lines. An ILEC shall complete at least ninety-six (96) percent of all requests for installation of primary local exchange lines within the time frames established 17.11.22.12 NMAC.

B. Held orders for primary local exchange lines. An ILEC's annual held order rate for primary local exchange lines shall not exceed 0.035 percent. The annual held order rate shall be the average of the monthly held order rates. The monthly held order rate shall be calculated as the number of an ILEC's held orders for primary local exchange lines as of the last day of the month, excluding orders for which waivers have been granted, expressed as a percentage of the total number of the ILEC's switched access lines in service at the end of that month.

C. Trouble reports.

(1) An ILEC's trouble report rate shall not exceed five (5) trouble reports per month per 100 access lines in service per wire center.

(2) An ILEC's repeat trouble report rate shall not exceed 18% of total monthly trouble reports, on a wire center basis.

D. Out-of-service clearances.

(1) An ILEC shall clear eighty-five (85) percent of out-of-service trouble reports in each month within twenty-four (24) hours, on a wire center basis.

(2) The monthly average repair interval in a wire center shall not exceed twenty (20) hours.

[17.11.22.19 NMAC - Rp, 17.11.22.19 NMAC, 2-1-06]

17.11.22.20 TIMELY RESPONSE BY CUSTOMER SERVICE REPRESENTATIVES:

A. Standards. An ILEC's business and repair offices shall answer calls within an average of thirty-five (35) seconds. If a carrier uses an automated response system, the system shall transfer calls to a customer service representative within an average of thirty-five (35) seconds of the customer's selection or within forty (40) seconds if the customer does not make a selection. An ILEC shall ensure that no more than

one (1) percent of calls to its business offices reach a busy signal and that no more than one (1) percent of calls to its repair offices reach a busy signal.

B. Reports. An ILEC shall file an exception report within thirty (30) calendar days of the end of any month in which it failed to meet any of the standards set forth in Subsection A of this section. The report shall identify each offending business office and repair office, the percent of calls answered, the percent of calls reaching a busy signal, the reason for failure to meet the respective standard, the remedial action taken by the ILEC, and any known results of that remedial action.

[17.11.22.20 NMAC - Rp, 17.11.22.20 NMAC, 2-1-06]

17.11.22.21 AGGREGATE CUSTOMER CREDITS: This section applies only to non-designed services.

A. Annual compliance reports.

(1) By February 15 of each year, each ILEC shall submit to the commission a report detailing, on a statewide basis, its compliance in the preceding calendar year with the quality of service standards set forth in this rule. The report shall also list each wire center alphabetically and shall indicate for each wire center which of the standards set forth in subsections C and D of 17.11.22.19 NMAC the ILEC failed to meet and the months in which the ILEC failed to meet the standard.

(2) The report shall include the details of the calculations made pursuant to 17.11.22.22 NMAC to determine the credit obligations the ILEC has incurred for the preceding calendar year, including those that are the subject of a petition for waiver or variance.

B. Payment of credits.

(1) An ILEC shall issue a one-time credit on customer bills for an equal amount of the aggregate customer credits incurred in any given year to each customer active in the billing cycle in which the credits are issued.

(2) An ILEC shall issue aggregate customer credits in a billing cycle that begins by May 1 for all quality of service standards that are not the subject of a petition for waiver or variance or for which such a petition has been denied by January 31.

(3) An ILEC shall issue aggregate customer credits for all quality of service standards for which a petition for a waiver or variance has been denied after January 31 in a billing cycle that begins within ninety (90) days of the date the petition was denied.

(4) An ILEC need not issue aggregate customer credits for those quality of service standards for which it has been granted a waiver.

[17.11.22.21 NMAC - Rp, 17.11.22.21 NMAC, 2-1-06]

17.11.22.22 CALCULATION OF AGGREGATE CUSTOMER CREDITS: This section applies only to nondesigned services.

A. Installation of service. For any calendar year in which an ILEC failed to achieve, on a statewide basis, the ninety-six (96) percent installation standard for primary local exchange lines, the ILEC shall incur the following credit obligations:

(1) for each percentage point from .1 to 3.0 percentage points less than the benchmark: .06 percent of the ILEC's total intrastate revenues for the year;

(2) for each percentage point from 3.1 to 7.0 percentage points less than the benchmark: .10 percent of the ILEC's total intrastate revenues for the year;

(3) for each percentage point from 7.1 to 12.0 percentage points less than the benchmark: .13 percent of the ILEC's total intrastate revenues for the year; and

(4) for each percentage point over 12.0 percentage points less than the benchmark: .16 percent of the ILEC's total intrastate revenues for the year.

B. Held orders up to 180 days. For any calendar year in which an ILEC failed to achieve, on a statewide basis, the 0.035% held order standard, the ILEC shall incur the following credit obligations:

(1) for each .001 increment from .001 to .005 percentage points in excess of the benchmark: .06 percent of the ILEC's total intrastate revenues for the year;

(2) for each .001 increment from .006 to .01 percentage points in excess of the benchmark: .1 percent of ILEC's total intrastate revenues for the year;

(3) for each .001 increment from .011 to .015 percentage points in excess of the benchmark: .13 percent of the ILEC's total intrastate revenues for the year; and

(4) for each .001 percentage point increment over .015 percentage points in excess of the benchmark: .16 percent of ILEC's total intrastate revenues for the year.

C. Held orders in excess of 180 days: For each month during a calendar year in which an ILEC had, as of the last day of the month, one or more held orders pending for more than 180 days, an ILEC shall incur the following credit obligations:

(1) for each month with 1 to 5 such orders as of the last day of the month: .01 percent of an ILEC's total intrastate revenues for the year;

(2) for each month with 6 to 10 such orders as of the last day of the month: .015 percent of ILEC's total intrastate revenues for the year; and

(3) for each month with 11 or more such orders as of the last day of the month: .02 percent of ILEC's total intrastate revenues for the year.

D. Trouble reports. For any calendar year in which an ILEC failed to achieve, on a statewide basis, an average trouble report rate of 5.0 trouble reports per 100 access lines, the ILEC shall incur the following credit obligations:

(1) for an annual average trouble report rate from .1 to 2.0 reports per 100 access lines in excess of the benchmark, .06% of the ILEC's total intrastate revenues for the year;

(2) for an annual average trouble report rate from 2.1 to 4.0 reports per 100 access lines in excess of the benchmark, .1% of the ILEC's total intrastate revenues for the year;

(3) for an annual average trouble report rate from 4.1 to 6.0 reports per 100 access lines in excess of the benchmark, .13% of the ILEC's total intrastate revenues for the year; and

(4) for an annual average trouble report rate more than 6.0 reports per 100 access lines in excess of the benchmark, .16% of the ILEC's total intrastate revenues for the year.

E. Out-of-service clearances. For any calendar year in which an ILEC failed to achieve, on a statewide basis, an average out-of-service clearance rate of eighty-five (85) percent in twenty-four (24) hours, the ILEC shall incur the following credit obligations:

(1) for each percentage point from .1 to 3.0 percentage points less than the benchmark, .02% of the ILEC's total intrastate revenues for the year;

(2) for each percentage point from 3.1 to 7.0 percentage points less than the benchmark, .03% of the ILEC's total intrastate revenues for the year;

(3) for each percentage point from 7.1 to 12.0 percentage points less than the benchmark, .04% of the ILEC's total intrastate revenues for the year; and

(4) for each percentage point beyond 12.0 percentage points less than the benchmark, .05% of the ILEC's total intrastate revenues for the year.

F. Repeat trouble reports. For any calendar year in which an ILEC failed to achieve, on a statewide basis, an average repeat trouble report rate of eighteen (18) percent, the ILEC shall incur the following credit obligations:

(1) for a repeat trouble report rate from 0.1 to 5.0 percentage points in excess of the benchmark, .06% of total intrastate revenues for the year;

(2) for a repeat trouble report rate from 5.1 to 10.0 percentage points in excess of the benchmark, .1% of total intrastate revenues for the year;

(3) for a repeat trouble report rate from 10.1 to 15.0 percentage points in excess of the benchmark, .13% of total intrastate revenues for the year; and

(4) for a repeat trouble report rate more than 15.0 percentage points in excess of the benchmark, .16% of total intrastate revenues for the year.

G. Wire center-specific standards. In addition to the credit obligations based on statewide performance, an ILEC shall incur a credit obligation of \$3.00 per access line in service at a given wire center for each wire center-specific standard set forth in subsections C and D of 17.11.22.19 NMAC the ILEC failed to achieve at that wire center for two consecutive months or any three months in a calendar year.
[17.11.22.22 NMAC - Rp, 17.11.22.22 NMAC, 2-1-06]

17.11.22.23 INDIVIDUAL CUSTOMER CREDITS:

A. Out-of-service clearances. A LEC shall automatically make appropriate adjustments to a customer's bill whenever service from the LEC is interrupted and remains out of order for more than eight (8)

hours during a continuous twenty-four (24) hour period after the customer reports it or the LEC finds it, whichever occurs first.

(1) The LEC shall provide a credit on the monthly bill for LEC services that is proportional to the duration of the service interruption. Each occurrence of a loss of service for eight (8) hours during a twenty-four (24)-hour time period shall count as one day and every month shall be considered to have thirty (30) days.

(2) The LEC shall not be required to provide an adjustment for loss of service due to:

- (a) the negligence or willful act of the customer;
- (b) a malfunction of facilities other than those under control of the LEC;
- (c) force majeure; or
- (d) the inability of the LEC to gain access to the customer's premises when necessary.

B. Held orders. For each customer whose order is held, an ILEC shall:

(1) provide a credit of \$45 for each primary residential line, and a credit of \$135 for each primary business line it fails to install within the time frames set forth in 17.11.22.12 NMAC;

(2) pay the sum of \$300 and three (3) times the installation charge for each primary residential or business line not installed within seven (7) days of the time frames set forth in 17.11.22.12 NMAC;

(3) waive the service charge for the first month of service once service is provided; and,

(4) for each customer whose premises is located where wireless phone service or equivalent service is not available, provide a credit of two (2) times the basic local exchange service rate for every month or partial month the customer's order is held.

[17.11.22.23 NMAC - Rp, 17.11.22.23 NMAC, 2-1-06]

17.11.22.24 RATEMAKING TREATMENT OF PENALTIES AND CREDITS: Regardless of the form of regulation, an ILEC shall not recover from customers through its rates the costs it incurs for penalties imposed pursuant to NMSA 1978 Section 63-7-23 or credits provided to customers pursuant to this rule.

[17.11.22.24 NMAC - Rp, 17.11.22.24 NMAC, 2-1-06]

17.11.22.25 EXEMPTION OR VARIANCE:

A. General requirements.

(1) Any carrier may petition for an exemption or variance from any of the requirements of this rule.

(2) Such petition may include a motion that the commission stay the affected portion of this rule for the transaction specified in the motion.

(3) Petitions for an exemption or a variance and motions for a stay must be supported by an affidavit signed by an officer of the carrier or other person with authority to bind the carrier.

(4) The commission may, at its discretion, require an informal conference or formal evidentiary hearing prior to making its determination.

B. Waiver of held order standard.

(1) An ILEC may petition for a waiver of the held order standard in 17.11.22.19 NMAC for circumstances beyond the reasonable control of the ILEC. The petition shall be filed with the commission within thirty (30) calendar days of the installation dates established in 17.11.22.12 NMAC and shall be accompanied by an affidavit executed by a person employed by the ILEC who is knowledgeable concerning the facts surrounding the waiver request. At the same time, the ILEC shall serve a copy of the waiver petition on the affected customers.

(2) The petition shall include:

(a) the names and addresses of all known customers who will be affected by the waiver request and an estimate of the number of unknown customers who might be affected;

(b) a detailed explanation of the relief being sought;

(c) the date when the service orders are expected to be filled; and

(d) a detailed explanation of the circumstances giving rise to the waiver request.

(3) The telecommunications bureau of the commission shall approve or disapprove the petition for waiver of the held order standard within thirty (30) calendar days of its submittal. The order shall not be counted as a held order and the ILEC shall not be required to pay credits while the petition is pending before the telecommunications bureau.

(4) Neither a waiver or a waiver petition shall relieve the ILEC of its obligations to provide alternative service to the individual customer unless the customer failed to provide the necessary facilities to enable the ILEC to complete the order or otherwise caused the delay.

(5) Where a waiver request is granted, the ILEC need not count any order subject to the waiver as a held order for purposes of this rule.

C. **All other exceptions.** A petition for an exemption or variance from any other requirement of this rule shall:

- (1) identify the section of this rule for which the exemption or variance is requested;
- (2) describe the situation which necessitates the exemption or variance;
- (3) describe the effect of complying with this rule on the carrier and its customers, and on its competitive affiliates and their customers, if the exemption or variance is not granted;
- (4) state how the exemption or variance will achieve the purposes of this rule and the New Mexico Telecommunications Act;
- (5) state why the proposed alternative is in the public interest and is better than the requirement in the rule; and
- (6) state why the exemption or variance would have no anticompetitive effect.

[17.11.22.25 NMAC - Rp, 17.11.22.25 NMAC, 2-1-06]

HISTORY OF 17.11.22 NMAC:

Pre-NMAC History:

None.

History of Repealed Material:

17.11.22 NMAC, Quality of Service Standards (filed 12-14-00) repealed 2-1-06.

NMAC History:

17.11.22 NMAC, Quality of Service Standards (filed 12-14-00) was replaced by 17.11.22 NMAC, Quality of Service, effective 2-1-06.

**Western New Mexico Telephone Company, Inc.
Line 610 – Functionality in Emergency Situations**

As required in 47 C.F.R. § 54.313(a)(6) for all high cost recipients, which includes the Company, and as set forth in 47 C.F.R. § 54.202(a)(2), the following provides a detailed description demonstrating that the Company has the ability to remain functional in emergency situations, including a demonstration that 1) it has a reasonable amount of back-up power to ensure functionality without an external power source, 2) is able to reroute traffic around damaged facilities, and 3) is capable of managing traffic spikes resulting from emergency situations.

OVERALL RESPONSE TO EMERGENCY SITUATIONS: The Company has a comprehensive disaster recovery plan (also called a “continuity plan”) that was developed and implemented for the Company specifically to deal with emergencies. It has detailed, specific steps that are to be taken for each type of emergency.

POWER: In order to function in an emergency, the Company has a combination of batteries and emergency generators. Some locations have permanent emergency generators with fuel tanks; whereas, other locations require a portable generator to be brought to the location to recharge the on-site batteries. The company owns several portable generators that technicians can take out to recharge the batteries. For example, the company’s central offices have automatic stand-by generators to run the entire offices. The digital loop carrier (“DLC”) sites also have battery back-up.

REROUTING TRAFFIC AND REDUNDANCY: The Company has established 100% redundant E-911 trunks and SS-7 routes. It is important to understand that E-911 trunks have redundancy, but they do not have diverse routes. The PSAPs/NMDFA did not order diversity, so CenturyLink has all traffic for Catron and Socorro Counties routed out of the Company’s northern route connection point and Grant and Hidalgo Counties’ traffic routed out of the Company’s southern route connection point. The New Mexico E-911 Coordinator is attempting to migrate to SS-7 routing, which is both diverse and redundant, but many of the PSAPs cannot support SS-7 yet. Please note that this is for voice only services and not for data/broadband.

In addition, the network was designed with redundancy, wherever possible, especially in the backbone network; however, there is not 100% diversified facilities. In most cases, where it is not redundant or diverse, the Company has the ability to redirect most backbone traffic. In cases where there is no redundancy or diversity, it is due to the extreme cost of a 100% redundant and diverse network.

Loop plant to the customer location is typically not redundant, especially for residential customers. This is because it would not be cost effective to build totally separate facilities for the “last mile” to the customer.

MANAGING TRAFFIC SPIKES: The Company realizes that when a catastrophe happens, everyone immediately tries to contact friends and family to make certain they are all right. The Company has designed the Time-Division Multiplexing ("TDM") network to have excess capacity on its backbone network. For example, on Mother's Day, the company handles traffic without the customer receiving the "All Trunks Busy" message which demonstrates the Company's ability to handle peak traffic spikes on its TDM voice network.

Western New Mexico Telephone Company, Inc.
Line 920 – Tribal Land Issues

As required in 47 C.F.R. § 54.313(a)(9), the following provides the detailed description of the efforts by the Company related to discussions with Tribal governments that, at a minimum, included: (i) A needs assessment and deployment planning with a focus on Tribal community anchor institutions; (ii) Feasibility and sustainability planning; (iii) Marketing services in a culturally sensitive manner; (iv) Rights of way processes, land use permitting, facilities siting, environmental and cultural preservation review processes; and (v) Compliance with Tribal business and licensing requirements. Tribal business and licensing requirements include business practice licenses that Tribal and non-Tribal business entities, whether located on or off Tribal lands, must obtain upon application to the relevant Tribal government office or division to conduct any business or trade, or deliver any goods or services to the Tribes, Tribal members, or Tribal lands. These include certificates of public convenience and necessity, Tribal business licenses, master licenses, and other related forms of Tribal government licensure.

Line 921 – Needs Assessment and Deployment Planning: The Company's actions to address needs assessment and deployment planning with a focus on tribal community anchor institutions for the tribal land network are as follows: On November 12, 2012 the Company sent a letter regarding the Company's Tribal Outreach Initiative to the Navajo Nation – Alamo Chapter (see Attachment A). It was sent to the Navajo Nation's President, the Alamo's President and Vice President and the new Navajo Nation Telecommunications Regulatory Commission. The Company followed up the letter with a presentation to the Alamo Chapter in May 2013 including the topics of (i) A needs assessment and deployment planning with a focus on Tribal community anchor institutions; (ii) Feasibility and sustainability planning; (iii) Marketing services in a culturally sensitive manner; (iv) Rights of way processes, land use permitting, facilities siting, environmental and cultural preservation review processes; and (v) Compliance with Tribal business and licensing requirements. Attachments B, C and D were included with the Chapter's presentation. Limited results were obtained from the presentation. The President of the Chapter said he would get back to the Company; however, to date this has not occurred.

The Company's EVP, John Francis, reached out to the Navajo Nation Telecommunication Regulatory Commission's (NNTRC) Executive Director, Brian Tagaban, to schedule a time to discuss Navajo tribal initiatives. The parties met along with two (2) of the NNTRC Commissioners at the Tribal Telecom and Technology Summit during the week of February 10, 2014, and focused on Tribal Lifeline outreach and needs assessments and planning strategies. It was agreed that we would collectively work together to achieve some of the chapter's, and the nation's overarching goals pursuant to tribal land initiatives.

The Bureau of Indian Affairs (BIA) made telephonic contact with the Company's engineering personnel during December 2013 regarding improvements and realignment of BIA Alamo Highway N 55. The first meeting was held on January 23, 2014, at which we were informed that construction would commence during February 2014 and complete by December 2014. (see Attachment F). The Company coordinated its efforts with and through BIA to relocate cables to facilitate the road construction. Archeological, cultural and environmental studies were completed pursuant to BIA regulations, permitting was completed and the majority of the project has been completed. To date, the company has invested approximately \$91,000 to assure that other critical road infrastructure can be improved in the area. The Company is not giving up on this and is trying to continue to follow up in order to further develop infrastructure and services being provided to the tribal area.

Other outreach has included the Company's customer service team members. Through interaction with Chapter members the Company received a joint request for broadband services from approximately twenty (20) tribal members. The Company has performed its initial engineering analysis for broadband deployments, which is included within the Company's Five Year Service Quality Improvement Plan.

Line 922 – Feasibility and Sustainability Planning: The Company's actions to address feasibility and sustainability planning for the tribal land network are as follows: As discussed above, the Company is confident with the commitments and support the Tribal engagement has commenced with tribally supported initiatives associated with facility expansion to provide additional or increased service offerings.

Line 923 – Marketing Services in an Culturally Sensitive Manner: The Company's actions to address the marketing of services in a culturally sensitive manner in the tribal land are as follows: As discussed above, the Company believes the framework is established to engage and discuss the Tribes goals and suggestions or ideas for improving the company's marketing efforts and if they would they want to participate in jointly developing marketing materials. Attachment B was provided by the Company as a starting point to begin discussions.

Line 924 – Compliance with Right of Way Processes: The Company's actions to comply with the right-of-way processes for the tribal lands are as follows: While the Company has experienced limited success, to engage the Tribe to discuss right-of-way processes for its tribal lands, as stated above the Company engaged and worked closely with BIA to achieve the tribal goals for road infrastructure improvements. The Company consistently complies with Bureau of Indian Affairs (BIA), the Navajo Nation's, and the Alamo Chapter's requirements and has consistently sought approval prior to commencement of any construction and/or maintenance activities.

Line 925 – Compliance with Land Use Permitting Requirements: The Company's actions to comply with the land use permitting requirements for the tribal lands are as follows: As discussed above, the Company tried, with limited success, to engage the Tribe to discuss compliance with the land use permitting requirements for its tribal lands. As identified on Line 924, the Company has complied with Bureau of Indian Affairs (BIA), the Navajo Nation's, and the Alamo Chapter's requirements and has consistently sought approval prior to commencement of any construction and/or maintenance activities.

Line 926 – Compliance with Facility Siting Rules: The Company's actions to comply with the facilities siting rules for the tribal lands are as follows: As discussed above, the Company tried, with limited success, to engage the Tribe to discuss and establish requirements and define compliance with the siting rules for its tribal lands. As identified on Line 924, the Company has complied with Bureau of Indian Affairs (BIA), the Navajo Nation's, and the Alamo Chapter's requirements and has consistently sought approval prior to commencement of any construction and/or maintenance activities.

Line 927 – Compliance with Environmental Review Processes: The Company's actions to comply with the environmental review processes for the tribal lands are as follows: As discussed above, the Company tried, with limited success, to engage the Tribe to discuss compliance with the environmental review processes for its tribal lands. As identified on Line 924, the Company has complied with Bureau of Indian Affairs (BIA), the Navajo Nation's, and the Alamo Chapter's requirements and has consistently sought approval prior to commencement of any construction and/or maintenance activities.

Line 928 – Compliance with Cultural Preservation Review Processes: The Company's actions to comply with the cultural preservation review processes for the tribal lands are as follows: As discussed above, the Company tried, with limited success, to engage the Tribe to discuss compliance with the cultural preservation review processes for its tribal lands. As identified on Line 924, the Company has complied with Bureau of Indian Affairs (BIA), the Navajo Nation's, and the Alamo Chapter's requirements and has consistently sought approval prior to commencement of any construction and/or maintenance activities.

Line 929 – Compliance with Tribal Business and Licensing Requirements: The Company's actions to comply with the tribal business and licensing requirements for the tribal lands are as follows: As discussed above, the Company tried, with limited success, to engage the Tribe to discuss if the Tribe believes there are other licenses the Company should acquire to provide telecommunications services on its tribal lands. The New Mexico Public Regulation Commission currently has jurisdictional authority over the Company for its limited Tribal operations. However, the Navajo Nation has commenced with the establishment of the Navajo Nation Telecommunications Regulatory Commission. Attachment E provides the Company's response to the Commission's Notice of Proposed Rulemaking regarding CCN applications and filing requirements.

File name: 492268nm920.pdf

Attachment A

**Western New Mexico Telephone Company, Inc.
Line 920 – Tribal Land Issues**



314 W. Yankie, Silver City, NM 88061 (575)388-2546 Fax (575)-388-2540

November 12, 2012

VIA USPS – Return Receipt

Mr. Ben Shelly
President of the Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

RE: Navajo Nation – Alamo Chapter – Telecommunications and Enhanced Services

The Honorable President Shelly:

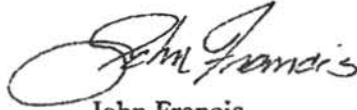
Western New Mexico Telephone Company (d/b/a WNM Communications) is a Rural Local Exchange Carrier (RLEC) that provides voice and broadband services to the Alamo Chapter of the Navajo Nation. Historically the company has focused on providing ubiquitous high quality and affordable voice services to the Alamo area. Through collective efforts with the Navajo Nation, the Alamo Chapter, and Western several milestones have been accomplished. Some of the highlights are: there are only a few tribal member premises that do not have access to basic local and long distance service including E-911, there are fiber optic facilities connecting the Alamo to Magdalena and Socorro, broadband services are available to many of the tribal members, tribal offices, and businesses, and Tribal Lifeline and Tribal Link-up programs are available to those tribal members that are eligible for support.

Collectively we have been successful in bringing services to the Alamo Chapter. However, we know there are needs within the community that will require enhanced services including broadband services to assure that tribal members, schools, health care providers, businesses, and agencies have the tools and services to be successful. Western is desirous to work closely with the Navajo Nation and the Alamo Chapter to develop and promote the availability of telecommunications and broadband services for the benefit of tribal members.

To accomplish these goals I believe it is critical that we work even more closely than ever before to identify all tribal stakeholder requirements and develop a strategy to ensure successful deployments of new technologies and the delivery of enhanced services to meet the needs of tribal members. As a starting point I am reaching out to you and the Navajo Nation, to jointly establish a plan for achieving our common goals.

I am sincerely looking forward to working with you, your staff, the Navajo Nation, and the Alamo Chapter. Please contact me so we can commence with developing a strategy to meet our common goals.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "John Francis".

John Francis
Executive Vice President
Western New Mexico Telephone Company,
Inc.
Silver City, NM 88061
Telephone Number: (575)388-2546
Email Address: jfrancis@wnmt.com

Cc: Scott Apachito, President, Alamo Chapter
Annabell Pino, Vice President, Alamo Chapter
Brian Tagaban, Executive Director NNTRC

File name: 492268nm920.pdf

Attachment B

**Western New Mexico Telephone Company, Inc.
Line 920 – Tribal Land Issues**

NAVAJO ALAMO CHAPTER PROPOSED TEMPLATE

Needs Assessment and Deployment Planning

1. Western has constructed fiber optic facilities from Magdalena to Alamo that has the ability to provide both voice and broadband services. At its equipment location at the Alamo, there is the required infrastructure to provide these services to the tribal members.
2. Currently the Company focuses on identified demands based upon requests for services from the Chapter's members. We understand that often tribal members are unaware of available services, which represents one of the priorities we could collectively establish a way to promote the services. There is also a need to identify addresses throughout the Chapter for Tribal Lifeline and other offered services.
3. Western is developing a long range plan to provide to extend enhanced services to some of the Chapter's anchor locations like the Alamo School and to Tribal Government, as well as locations where there are "clusters" of tribal members. While we can develop these plans, it is critical that we clearly understand the Chapter's goals and needs to jointly develop the strategies to build and implement the identified services.
4. Timelines to implement any plans will require commitments from the parties to obtain essential rights-of-way and permits. Historically, this process has taken several years, and the Chapter's guidance and assistance can hopefully reduce delays in implementation.
5. Does the Tribe support moving forward with the development of plans and the deployment of new and expanded services, and will the Tribe jointly present initiatives to other agencies like the Bureau of Indian Affairs (BIA) and the Federal Communications Commission (FCC)?

Marketing Services

1. Today Western markets all of its available services through bill inserts in tribal members and businesses bills and through our technical staff that maintains services at the Alamo. Historically the Company has also participated in a tribal sponsored "Adult Find" day.
2. How can we better market both voice, including Tribal Lifeline, and broadband services at the Alamo Chapter?

Rights of Way and Other Permitting and Review Processes

1. Rights of Way and permitting review process include; Meeting with Tribal government at both Alamo, and Window Rock. Making required applications with the Tribal government and BIA. Performing required archeological and environmental studies, that sometimes are required prior to engineering design of a project and again prior to final rights of way and permitting approvals. These processes often take years to complete prior to commencement of construction and delivery of requested services.
2. How can the Alamo Chapter and Western work collectively together to expedite this process and assure that tribal government, schools, members and businesses have access to services to meet their needs.
3. Western currently has a permit for its existing equipment site that requires renewal this year that requires both the Alamo Chapter's and BIA's review. Western will be sending a letter regarding this matter and requesting renewal of the permit. What is the best way to schedule this process with the Alamo Chapter?

File name: 492268nm920.pdf

Attachment C

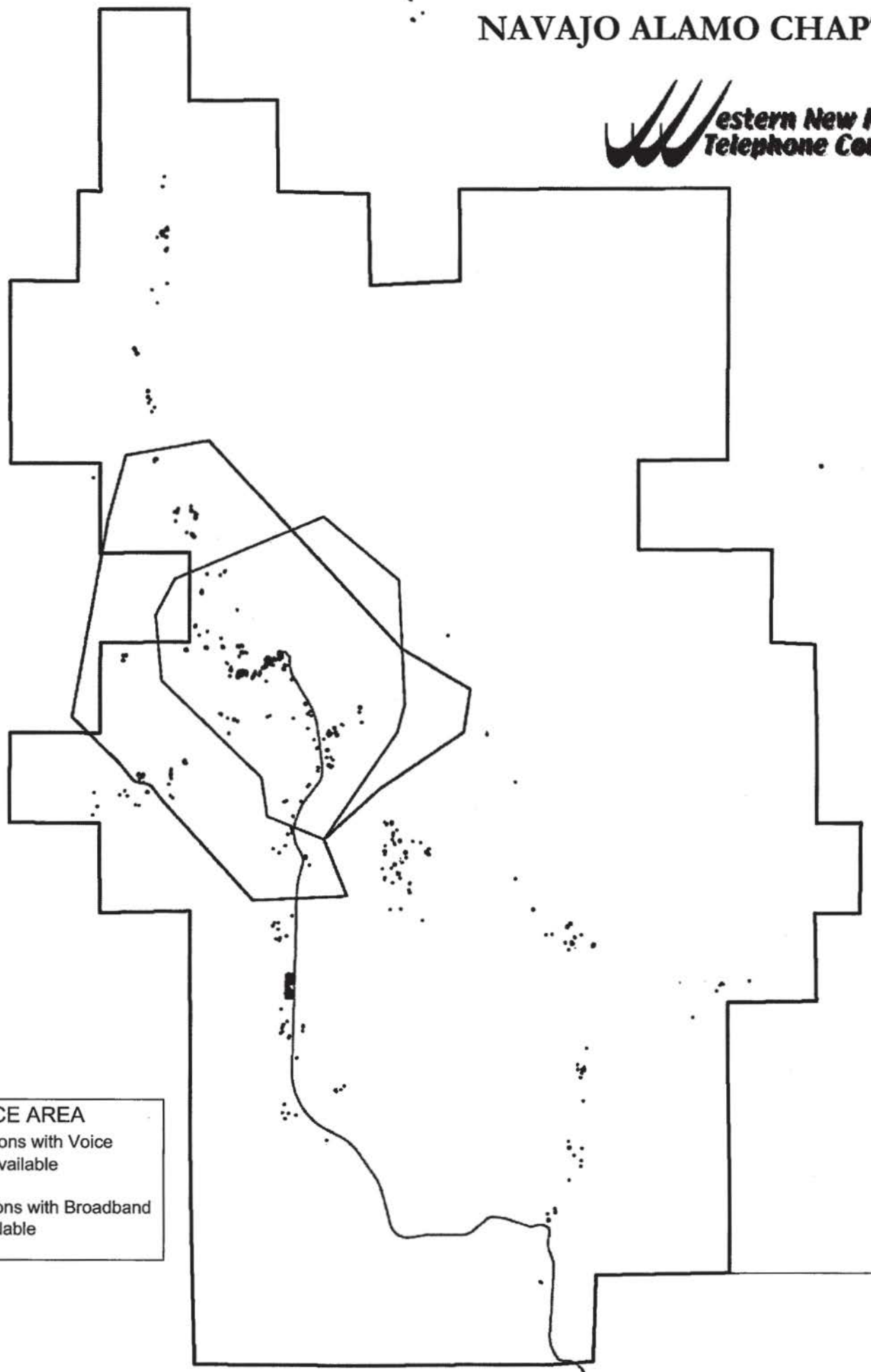
**Western New Mexico Telephone Company, Inc.
Line 920 – Tribal Land Issues**

NAVAJO ALAMO CHAPTER



SERVICE AREA
1. Locations with Voice
service available

2. Locations with Broadband
DSL available



File name: 492268nm920.pdf

Attachment D

**Western New Mexico Telephone Company, Inc.
Line 920 – Tribal Land Issues**

Broadband Availability - Socorro County

New Mexico Broadband Mapping Program



Legend

- | | |
|--|---|
|  Cable Coverage |  School - K through 12 |
|  DSL Coverage |  Library |
|  Mobile Wireless Coverage |  Medical/healthcare |
|  Interstate |  Public safety |
|  US Highway |  University, college, other post-secondary |
|  State Highway |  Other community support - Government |
|  County Seat |  Other community support - Non Government |



0 5 10 20 Miles

Broadband Data from Telecom Providers

Data is current as of the date : 1 October 2012

State Broadband Map : <http://nmdbmapping.org/mapping>

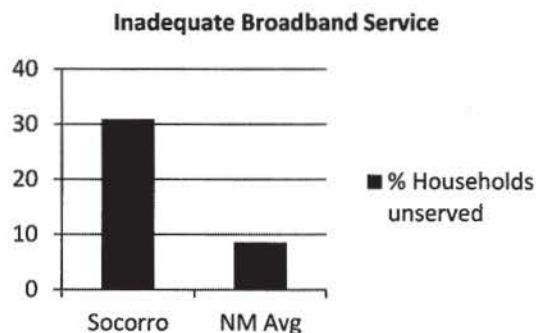
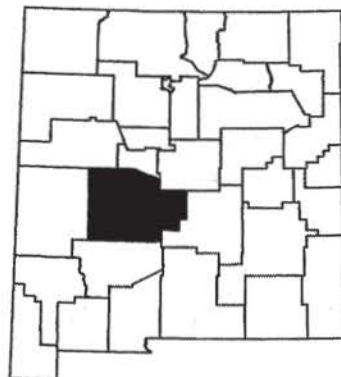
Contact : nm.broadband@state.nm.us



October 2012

Broadband Availability – Socorro County

New Mexico Broadband Program



County Seat: Socorro
Area (sq. miles): 6,649

Population (2010 Census): 17,866
Household (2010 Census): 8,059

List of Available Broadband Providers

- AT&T Mobility, LLC
- CenturyLink
- Comcast
- Cricket Communications, Inc.
- Plateau Telecommunications, Inc.
- Sprint
- T-mobile
- Tularosa Communications, Inc.
- Transworld Network, Corp.
- Verizon Wireless
- Windstream Communications
- WNM Communications
- Hughes Network Systems[§]
- Star Band Communications[§]
- ViaSat, Inc.[§]

Available Types of Technology

Cable, DSL, Fixed Wireless, Mobile Wireless and Satellite

Available Speeds*

- Maximum Advertised Download: 10 Mbps - 25 Mbps
- Minimum Advertised Download: 1.5 Mbps - 3 Mbps
- Maximum Advertised Upload: 1.5 Mbps - 3 Mbps
- Minimum Advertised Upload: 200 Kbps - 768 Kbps

Notes

- Broadband Data: Telecommunication Providers, as of 1 October 2012
- Demographic Data: US Census Bureau 2010 Decennial Census
- Geographic Data: EDAC/RGIS (Resource Geographic Information System, rgis.unm.edu)
- % Households: Graph provides approximate percentage of county households not served, dependent on data provided by the Telecommunication Provider. % Households not served is shown only for wire-line customers (Cable, Copper Wire, DSL and Fiber).

[§] Satellite Service Provider (satellite coverage is statewide and not displayed on the map)

* Speed depends on the type of broadband technology

File name: 492268nm920.pdf

Attachment E

**Western New Mexico Telephone Company, Inc.
Line 920 – Tribal Land Issues**



October 21, 2011

VIA USPS

Mr. Brian Tagaban
Executive Director
Navajo Nation Telecommunications Regulatory Commission
P.O. Box 7440
Window Rock, AZ 86515

RE: NNTRC-11-0001

Dear Mr. Tagaban:

Enclosed are comments on behalf of Western New Mexico Telephone Company, Inc. These comments are pursuant to NNTRC's Notice of Proposed Rulemaking Docket No. NNTRC-11-0001, "Application for Certificate of Convenience and Necessity (CCN)..

Upon your review, if you have any questions or comments, please contact me.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "John Francis", is written over a horizontal line.

John Francis
Executive Vice President

Enclosure

P.O. Box 3079, Silver City, NM 88062-3079
575-388-2546 Voice; 575-388-2540 FAX

**BEFORE THE
NAVAJO NATION TELECOMMUNICATIONS REGULATORY COMMISSION**

**In the Matter of Application for
Certificate of Convenience
and Necessity (CCN)**)
)
)
)

No. NNTRC-11-001

**WESTERN NEW MEXICO TELEPHONE COMPANY, INC.'S
COMMENTS TO NOTICE OF PROPOSED RULEMAKING**

Western New Mexico Telephone Company, Inc. (WNMT) submits these Comments to the Notice of Proposed Rulemaking ("NOPR") issued by the Navajo Nation Telecommunications Regulatory Commission ("NNTRC") on July 28, 2011.

WNMT's Comments are as follows:

1. WNMT appreciates the opportunity to provide input in connection with the NOPR. These Comments are being submitted to the NNTRC for the limited purposes of responding to the NOPR and providing relevant information regarding WNMT's existing operations and regulation in the State of New Mexico, including the specific areas where it serves customers located on land within or under the control of the Navajo Nation.

2. WNMT is an incumbent rural telecommunications carrier pursuant to Section 63-9H-3.I NMSA 1978 and is authorized by the New Mexico Public Regulation Commission ("NMPRC") to provide facilities-based local exchange and intralata interexchange services in the State of New Mexico. Today, WNMT provides service to approximately 5,300 residential and business customers in the State of New Mexico.

3. WNMT's Certificate of Convenience and Necessity ("CCN") to operate and provide telecommunications services in New Mexico was issued by the New Mexico State

Corporation Commission ("NMSCC"), the predecessor to the NMPRC, in 1974. In addition, the NMSCC and the NMPRC have approved WNMT's tariffs and exchange boundary maps, which are of record at the NMPRC.

4. WNMT's certificated service area includes nine exchanges that are located in Southwestern New Mexico. WNMT's CCN allows for the provision of service within the specific boundaries of these exchanges.

5. WNMT currently provides service to the "Magdalena" exchange, which includes the Town of Magdalena. Within this exchange WNMT provides service to customers within a small portion of the Navajo Nation known as "Alamo."

6. WNMT does serve customers living on land owned or controlled by the Navajo Nation, but believes this service should be considered minimal. Since WNMT's presence on Navajo lands is limited, and that WNMT is a small rural telecommunications carrier, the regulation contemplated by the NOPR would be excessive. In fact, the NOPR specifically states at ¶3.C that "The Act further provides that "[t]he commission may by rule or regulation exempt certain telecommunications services from the requirement of a certificate of convenience and necessity." Based on this provision, the NNTRC should adopt exemption criteria that allow carriers who have a limited presence to be exempt from the CCN requirements.

7. As noted above, WNMT is currently regulated by the NMPRC in all aspects of its operations. WNMT is also an Eligible Telecommunications Carrier ("ETC"), and therefore must meet requirements imposed on ETCs. The NMPRC's scope of regulation applies to all of WNMT's service area, including the Magdalena exchange, and the authority of the NMPRC to impose this regulation is clearly established by the New Mexico Constitution in Article XI, Section 2.

8. The regulation proposed in the NOPR essentially duplicates the regulation already imposed by the NMPRC. Moreover, there is no specific evidence identified in the NOPR that the public interest requires that there be dual regulation in this state. The NOPR states at ¶H that the NNTRC cannot fulfill its responsibilities if carriers don't obtain CCNs because: (a) universal service will not be insured, (b) there won't be effective competition, (c) there won't be efficient deployment of telecommunications infrastructure, (d) there won't be shared use of facilities, and (e) the NNTRC can't insure high quality of service. Yet, all of these stated concerns or deficiencies are current requirements that are already imposed by either state or federal law. As an ETC, WNMT must meet both state and federal ETC requirements, and must be certified each year by the NMPRC. There already is competition from different technologies (i.e., cellular, VoIP), and further competition will result from entities that develop networks with federal stimulus funding, such as the Navajo Nation. WNMT continues to deploy infrastructure where there is the requisite demand, where necessary rights-of-way can be obtained efficiently and at reasonable cost, and where tariffs are applied such as line extension policies. In addition, federal law and the applicable requirements for interconnection between carriers will govern any shared use of facilities. Finally, WNMT already must meet all service requirements throughout its service area that are imposed by the NMPRC and the FCC.

9. The imposition of additional regulation, will only lead to conflicting rules and regulations. The resulting conflict will lead to confusion and additional regulatory cost, and will adversely affect tribal members and the operations of the carriers.

10. In addition, the requirements proposed by the NOPR for applying for a CCN are both burdensome and unnecessary. WNMT already completed a similar complex process with the NMSCC, and a new requirement to repeat this process in light of its minimal

presence in the Magdalena exchange would be unreasonable. Exemption criteria can and should be created by the NNTRC to allow carriers such as WNMT, that have already obtained CCNs from the NMPRC or other state regulatory agency, to be exempt from further CCN requirements. Other considerations for alternative registration requirements could be used that are less burdensome than filing an application for a CCN.

11. The NOPR also requires the submission of extensive corporate financial information. Yet, the requested information has no particular relevance to WNMT's limited operations and presence in the Magdalena exchange. In addition, WNMT would not be in a position to provide financial information that is confidential or competitive in nature, in the absence of rules, provisions or other processes in place with the NNTRC to protect against public disclosure of this type of information. To the extent the NNTRC has the need to secure financial information regarding WNMT's publically available information, it is either accessible at the NMPRC or the Federal Communications Commission.

12. WNMT recognizes the concern of the Navajo Nation and the NNTRC to fully understand the extent of communications services being provided today and the infrastructure being placed on Navajo land. However, this concern does not warrant the imposition of a third layer of regulation. In fact, there are other means of existing oversight. Today, if a provider intends to place facilities on land within the Navajo Nation, that provider must first secure the appropriate permits and rights-of-way in order to conduct business. Presumably this process alone should provide the requesting government agencies with the necessary and pertinent information regarding the telecommunications facilities that will be placed on the land as well as the required consideration for payment of the right-of-way. This information is provided today without the imposition of the unnecessary and burdensome regulation being proposed in the NOPR. The Navajo Nation also has the statutory ability to

engage in cooperative efforts with the NMPRC in areas where they both have jurisdiction and can conduct joint investigations and hearings. See Section 8-8.4.B. (11) NMSA 1978. This is clearly an alternative mechanism that can be utilized by the Navajo Nation to pursue relevant initiatives with regard to telecommunications services and infrastructure.

13. The submission of these Comments is not intended as an acknowledgement of the NNTRC's regulatory jurisdiction over WNMT and does not constitute a waiver of WNMT's ability to contest the jurisdiction of the NNTRC in the appropriate forum.

14. In conclusion, WNMT urges the NNTRC to avoid the implementation of regulation that will duplicate regulation that is already statutorily imposed by the NMPRC and the FCC, and also to refrain from adopting rules and regulations that are burdensome or contradictory for providers. In addition, WNMT requests that any rules promulgated by the NNTRC create specific exemptions for providers that have a limited presence within the Navajo Nation or in those instances where CCNs have already been obtained from a state regulatory agency.

Dated: October 17, 2011

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jim Francis", is written over a horizontal line.

Executive Vice President
Western New Mexico Telephone Company, Inc.

File name: 492268nm920.pdf

Attachment F

**Western New Mexico Telephone Company, Inc.
Line 920 – Tribal Land Issues**

ATTACHMENT F

**Work Plan
For
BIA Alamo Highway N 55**

Excavator:

Meridian Contracting Inc.

Project office location and address:

Pie Ranch Headquarters

Project office hours: 7:00 am to 3:30pm

Contact Name – Sean Conway

Contact Phone Number – 505-980-8509

Main Office Number - 505-872-2841

Alternate Contact Name – Chris Wagner

Alternate Contact Number – 505-903-8021

Project Scope of work:

Earthwork, Structural Concrete, Asphalt Paving, Metal Culvert Pipe

Unclassified Excavation, ROW Fencing, Rip Rap work.

Construction Schedule – February 2014 to December 2014

Project location:

Alamo, New Mexico Cibola and Sierra Co.s

Beginning approx. 12 Miles North of Alamo and continuing North for 13KM (approx 8.02 Miles).

Driving Directions to office/yard:

From Alamo drive approx. 16 Miles North. Vere Left toward the Pie Ranch Headquarters. Office will be on right. Look for Elevated RR car.

See Map Attachment A and Plan Sheets 8-26

Notification Documentation

Wide Area Conference Ticket Number: 2014-03-1975

Conference Date: January 23, 2014 Time: 1:00 PM Location: 3223 Los Arboles NE Albuquerque, NM 87107 (Meridian NM Main Office)

UFOs notified	Responded	Attendee(s)	Remarks or Comments
NM Pipeline			
Socorro Elect	yes		
W. NM Tele	yes		

Wide Area Ticket Number: 2014-xx-xxxx

Start date and time: XX-XX-2014 7:00 am Project Duration: 458 Calendar days

Ticket number <u>2014-xx-xxxx</u>	Start date and time: mm-dd-yyyy	hh-mm	Reaffirmed by	Comments
Reaffirm date 1				
Reaffirm date 2				
Reaffirm date 3				
Reaffirm date 4				
Reaffirm date 5				
Reaffirm date 6				
Reaffirm date 7				
Reaffirm date 8				
Reaffirm date 9				
Reaffirm date 10				
Reaffirm date 11				
Reaffirm date 12				

(NOTE: Projects lasting longer than six (6) months in duration will require a new wide area conference and new wide area locate. This process is to ensure any new facilities added to the project area will be included in the new project plan, or if any changes in ownership of facilities has occurred during the previous six months.)

Key Contacts and communication arrangements

Company Name or UFOs Spotting for Spotter Name Spotter cell phone Fax Number	Cell Phone Fax Number	PRC/PSB Contact Name Cell Phone
Company Name or UFOs spotting for Spotter Name Spotter cell phone Fax Number	Crew Foreman Cell phone	EMERGENCY NUMBERS Police 911 Fire 911 Ambulance 911 Gas Company xxx-xxxx Electric Company xxx-xxxx Water xxx-xxxx NMOC 811 or 866-344-6662 Other xxx-xxxx
Company Name or UFOs spotting for Spotter Name Spotter cell phone Fax Number	Crew Foreman Cell phone	
Company Name or UFOs spotting for Spotter Name Spotter cell phone Fax Number	Crew Foreman Cell phone	

Updates and revisions

(Note: This section describes how changes will be communicated and agreed to before being enacted. Spotters have the right to agree to changes before they become effective. Excavators must ensure there is agreement among all spotters before publishing changes. Attendees should be authorized to negotiate and sign work plan on behalf of the company(ies) they represent. Changes must be in writing and copies provided to spotters.

Proposed: Due to the overall size of project and limited potential conflict updates to the plan should be bi-weekly. Excavator will fax/email proposed changes to each spotter no later than Thursday at noon. Spotters will review and fax/email approvals or changes to excavator no later than 8am the following Friday. Excavator will consolidate changes and will prepare addendum to work plan. All spotters will come by the project trailer between 10am and 3pm on Friday each week and review addendum and sign revised document or fax/email excavator an approval. Excavators will fax/email signed revised document to spotters by 4pm on Fridays. Spotters will attach addendums to work plans.)

Work Plan Authorization Page

This work plan was developed using a consensus approach and the excavator and facility owners agree this plan is reasonable and workable as witnessed by their appropriate signatures below. The plan is subject to change as the need arises. Such changes shall be coordinated by the excavator and agreed to by the facility owners prior to inclusion in the work plan.

Excavator:

Project Coordinator Name: Chris Wagner Meridian Contracting Inc. Date: 1/23/2014

Facility Owners:

Company A _____ Date: _____

Phone _____ Fax _____ Email _____

Company B _____ Date: _____

Phone _____ Fax _____ Email _____

Company C _____ Date: _____

Phone _____ Fax _____ Email _____

Company D _____ Date: _____

Phone _____ Fax _____ Email _____



Jane Tibbs

From: eticket@nm811.org
Sent: Wednesday, January 15, 2014 3:31 PM
To: servicecenter@wnmt.com
Subject: DO NOT REPLY: Request 2014031975

New Mexico One Call

NOTICE OF INTENT TO EXCAVATE

Header Code: WIDE AREA CONFERENCE
Request Type:

Ticket No: 2014031975 Seq. No: 2

Update of:

Original Call Date: 01/15/2014 Time: 03:12:13 PM OP: 284
Transmit Date: 01/15/2014 Time: 03:30:33 PM
Work to Begin Date: 01/17/2014 Time: 03:12:00 PM

Company: MERIDIAN ENGINEERING CONTRACTING
Contact Name: CHRIS WAGNER Contact Phone: (505) 903-8021
Alternate Contact: MINDY GRAFT Alternate Phone: (505) 872-2841
Best Time to Call: Fax No: (505) 884-0260
Cell Phone: Pager No:
Email: c.wagner@meridiancon.net

State: NM County: SOCORRO City: RURAL SOCORRO
Address: , ALAMO CHAPTER HOUSE
To Address:
Nearest Intersecting Street: BEG: 34°33'18.99"/107°25'48.35"
2nd Intersecting Street:
Subdivision: RURAL CIBOLA
Latitude: 34.60521650 Longitude: -107.39577100
Zip Code: 87026
Grid:

Location of Work: CONTACT CHRIS WAGNER @ (505)-903-8021 FOR THE
CONFERENCE TO DEVELOP A WIDE AREA WORK PLAN

Remarks: CONFERENCE TIME/DATE: 01/23/2014 @ 1:00PM

Type of Work: NOTICE OF CONFERENCE/CONSTRUCT&REPAIR RD

Private Property: Street: Overhead Lines: Blasting:

Easement: Mechanical Boring: Premarked:

Work Being Done For: BUREAU OF INDIAN AFFAIRS

Sending to: (listing of utilities tkt sent to)

*WNMT SOEL INMPSO

by Chad Perkins FOR MEMBER USE ONLY Located 1-10-14 Date of Location 1-10-14 Remarks:
Called meridian main. to get details on
meeting 1:00 in AM @ 3228 US ARMY
Said they might close off road to St. James.
Excavator Notified (Not located) Who Notified Notified
by: _____ Date: _____ Time: _____

File name: 492268nm1010.pdf

**Western New Mexico Telephone Company, Inc.
Line 1010 – Voice Services Rate Comparability**

As required in 47 C.F.R. § 54.313(a)(10), any recipient of high-cost support shall provide a letter certifying that the pricing of the company's voice services is no more than two standard deviations above the applicable national average urban rate for voice services, as specified in the most recent public notice issued by the Wireline Competition Bureau and Wireless Telecommunications Bureau. The following provides the Company's support for Line 1010 - Description of Voice Service Rate Comparability.

As of January 1, 2014, the Company charges the following fixed voices prices:

Flat Rate Residential Service	\$18.25
State Residential Subscriber Line Charge	0.00
State Universal Service Charge Fee	0.63
Mandatory Extended Area Service	0.00
Residential Federal Subscriber Line Charge	<u>6.50</u>
Total Residential Fixed Voice Charges	<u>\$25.38</u>

Since the total for residential fixed voice that the Company charges, as shown above, is below the \$46.96, which is two standard deviations above the applicable national average urban rate for voice services, announced by the FCC Wireline Competition Bureau in the Public Notice released on March 20, 2014 (DA 14-384), the Company hereby certifies that it is in compliance with 47 C.F.R. § 54.313(a)(10).

File name: 492268nm1210.pdf

**Western New Mexico Telephone Company, Inc.
Line 1210 –Terms and Conditions for Lifeline**

Western New Mexico Telephone Company Lifeline Terms and Conditions

A. LIFELINE

1. **Lifeline** Effective no later than August 1, 2012, the Federal Communications Commission ("FCC") mandated a reduction in Lifeline support, which reduced the non-tribal federal credits to \$9.25. The New Mexico Public Regulation Commission ("NMPRC") has authorized an additional \$3.50 state credit that allows qualified Lifeline subscribers a total \$12.75 monthly credit towards their local telephone bill. The Company's voice lifeline plan includes unlimited local minutes-of-use within the toll-free calling area. The Company's voice lifeline plan does not include any free minutes-of-use for toll unless a "bundled minutes" package is chosen.
2. Western New Mexico Telephone Company ("WNMTC") supports and follows the guidelines set forth by the FCC and NMPRC. Individuals are eligible if they participate in one of the following programs:
 - a. Medicaid Program
 - b. Low-Income Home Energy Assistance Program (LIHEAP)
 - c. Food Stamp Program
 - d. Supplemental Security Income (SSI) Program
 - e. Federal Public Housing Assistance Program
 - f. Temporary Assistance for Needy Families (TANF)
 - g. National School Lunch Program, or
 - h. Household Income is at or below 150% of the federal poverty guidelines
3. Lifeline Service includes the services and functionalities enumerated by the F.C.C. as follows: voice grade access to the public switched network; local usage; dual tone multi-frequency signaling or its functional equivalent; single-party service or its functional equivalent; access to operator services; access to interexchange service; access to directory assistance; and toll blocking for qualifying customers who request toll blocking.
4. Other services can be provided with the Lifeline Service at applicable rates and charges.

B. ENHANCED TRIBAL LIFELINE

1. **Enhanced Tribal Lifeline** The FCC also established separate guidelines for Tribal Lifeline assistance, which set a maximum credit limit up to \$25.00, but the customer's bill for local services cannot be less than \$0.00. Currently the monthly charges for local telephone service for customers eligible for Tribal Lifeline assistance is \$0.00.
2. Western New Mexico Telephone Company ("WNMTC") supports and follows the guidelines set forth by the FCC and NMPRC. Individuals are eligible if they participate in one of the following programs:
 - a. Medicaid Program
 - b. Low-Income Home Energy Assistance Program (LIHEAP)
 - c. Food Stamp Program
 - d. Supplemental Security Income (SSI) Program
 - e. Federal Public Housing Assistance Program
 - f. Temporary Assistance for Needy Families (TANF)
 - g. National School Lunch Program, or
 - h. Household Income is at or below 150% of the federal poverty guidelines
 - i. Bureau of Indian Affairs General Assistance
 - j. Tribally Administered Temporary Assistance for Needy Families
 - k. Head Start (only those meeting income qualifying standard)
 - l. Food Distribution Program on Indian Reservations.
3. Lifeline Service includes the services and functionalities enumerated by the F.C.C. as follows: voice grade access to the public switched network; local usage; dual tone multi-frequency signaling or its functional equivalent; single-party service or its functional equivalent; access to operator services; access to interexchange service; access to directory assistance; and toll blocking for qualifying customers who request toll blocking.
4. Other services can be provided with the Lifeline Service at applicable rates and charges.

C. HOW DO I GET MORE INFORMATION?

Call WNMTC's Business Office at 1-800-535-2330
Visit WNMTC's Website at www.wnmc.com/lifeline

Call the NMPRC at 1-505-827-4592

Visit the NMPRC Website at <http://nmprc.state.nm.us/consumer-relations/docs/litap-brochure.pdf> HOW TO APPLY?

Contact WNMT's Business Office at 1-800-535-2230 or download the form from our website and mail to:
Western New Mexico Telephone

PO Box 150, Cliff, NM 88028, or

Fax to 1-575-535-9908

Internet Service Local Phone Long Distance Bundles Services

Qualification Guidelines

DO YOU QUALIFY FOR REDUCED PHONE RATES?

Every person in America should have access to quality and affordable telecommunications services. This principle of "Universal Service" has been a goal of the telecommunications industry for decades. Congress enacted the Telecommunications Act of 1994 and reaffirmed these principles in 1996 for the "preservation and advancement of Universal Service."

Lifeline

Effective no later than August 1, 2012, the Federal Communications Commission ("FCC") mandated a reduction in Lifeline support, which reduced the non-tribal federal credits to \$9.25. The New Mexico Public Regulation Commission ("NMPRC") has authorized an additional \$3.50 state credit that allows qualified Lifeline subscribers a total \$12.75 monthly credit towards their local telephone bill.

Enhanced Tribal Lifeline

The FCC also established separate guidelines for Tribal Lifeline assistance, which set a maximum credit limit up to \$25.00, but the customer's bill for local services cannot be less than \$0.00. Currently the monthly charges for local telephone service for customers eligible for Tribal Lifeline assistance is \$0.00.

What types of discounts are available?

Lifeline assistance lowers the cost of basic monthly local telephone services, by the allowable discount credits.

Toll Limitation Service support allows all Lifeline eligible consumers who wish to avoid incurring long distance charges to have "toll blocking" services at no charge.

Tribal Link-Up is also available for eligible customers living on tribal lands. This is a one-time credit up to \$100.00 for the initial installation of local telephone service.

Western New Mexico Telephone Company ("WNMTC") supports and follows the guidelines set forth by the FCC and NMPRC. Individuals are eligible if they participate in one of the following programs:

Lifeline

Medicaid Program
 Low-Income Home Energy Assistance Program (LIHEAP)
 Food Stamp Program
 Supplemental Security Income (SSI) Program
 Federal Public Housing Assistance Program
 Temporary Assistance for Needy Families (TANF)
 National School Lunch Program, or
 Household Income is at or below 150% of the federal poverty guidelines

Enhanced Tribal Lifeline (In addition to Lifeline programs)

Bureau of Indian Affairs General Assistance
 Tribally Administered Temporary Assistance for Needy Families
 Head Start (only those meeting is income qualifying standard)
 Food Distribution Program on Indian Reservations.

You may also qualify if your Annual Household Income is at or below 150% of the federal poverty level guidelines (see chart below). (Verification of income is required.)

150% of 2014 Federal Poverty Guidelines:

Get a Deal on High Speed Internet

With speeds up to 1.5 Mbps, we have the best service and at a great value.

Always on DSL
 Internet service
 as low as
 \$40.00 per month.

► Learn more

Bundle Services and Save

Silver City customers can save nearly \$33/month for phone, Internet and more.

► Learn more



LIFELINE TELEPHONE ASSISTANCE APPLICATION FORM

Subscriber's Full Name: _____

Subscriber's **PHYSICAL** Address: _____

(This CANNOT be a Post Office Box)

City: _____ State: _____ Zip: _____

- Is the physical address provided permanent or temporary? (check one) ☐ permanent ☐ temporary
- If your physical address is temporary, please read and initial the statement on next line:
 - I must re-verify my temporary address every 90 days. _____ (Initial here)

Subscriber's Billing/Mailing Address: _____

City: _____ State: _____ Zip: _____

Home Telephone Number: _____

(Please provide if you are an existing customer)

Subscriber's Date of Birth: _____, and

Last 4 digits of Subscriber's Social Security Number or Tribal ID/Census #: _____

Telephone Number Where You Can Be Reached: _____

- Check Box that best describes where you live:
- ☐ I live on tribal land or a reservation
- ☐ I do not live on tribal land or a reservation

SECTION 1.

I, or a member of my household, currently participate in the following program(s):

Check all that applies and attach a copy of the supporting documentation.

Medicaid (e.g. Title XIX/Medical, State Supplemental Assistance)	Low-Income Home Energy Assistance Program (LIHEAP)
Supplemental Security Income (SSI)	Food Stamps (SNAP)
Temporary Assistance for Needy Families (TANF)	National School Lunch Program
Tribally Administered Assistance for Needy Families (TANF)	Federal Public Housing Assistance (Including Section 8)
Head Start- [Residents meeting income requirements]	BIA General Assistance Programs
Tribal Head Start- [Residents of Tribal lands meeting income requirements]	Food Distribution Program on Indian Reservations

SECTION 2.

I do not receive benefits from any of the programs listed above, BUT my income is at or below 150% of the Federal Poverty Guidelines. Please check the box below that applies to your household and attach a copy of the supporting documentation described below:

Please Check	Number of Household Members	Household Income (at or below)
<input type="checkbox"/>	1	\$17,505
<input type="checkbox"/>	2	\$23,595
<input type="checkbox"/>	3	\$29,685
<input type="checkbox"/>	4	\$35,775
<input type="checkbox"/>	Number _____	*Add \$6,030 for each additional person

SECTION 2 (continued)

- ☐ Previous Year State/Federal or Tribal Tax Return
- ☐ Veterans Administration statement of benefits
- ☐ Social Security Administration statement of benefits
- ☐ Retirement/pension statement of benefits
- ☐ Unemployment/Workers compensation statement of benefits
- ☐ Current year-to-date earnings statement from an employer or 3 consecutive months of pay stubs
- ☐ Divorce decree or child support wage assignment statement
- ☐ Tribal Notice Letter of Participation in General Assistance

I agree to notify my phone company when I or a member of my household no longer participates in any of the above qualifying public assistance programs, or when there has been a change in my family size or income level, or a change in my address within 30 days.

I understand and acknowledge that:

- Lifeline is a federal benefit,
- I am eligible for Lifeline benefits under the preceding guidelines incorporated in this application,
- Willfully making false statements can result in fines, imprisonment, and disenrollment from the Lifeline Program,
- Only 1 Lifeline service is available per household (a household is defined as "an individual or group of individuals who live together, at the same physical address and share income and expenses),
- A household is not allowed to receive Lifeline benefits from more than one provider,
- Violation of the one-per-household rules is a violation of the United States Federal Government regulations and will result in my disenrollment from the Lifeline Program,
- I certify that no other person living in the household receives Lifeline benefits,
- I may not transfer my Lifeline benefits to any other person or household,
- My continued eligibility for Lifeline benefits will be based on my being recertified and that failure to do so will result in my termination from Lifeline benefits,
- I will notify Western New Mexico Telephone within 30 days if I am no longer eligible for Lifeline benefits for any reason or if there is any change in my address, and,
- I consent to have my name, address, telephone number, and any other information provided on this form to be sent to the Universal Service Administration Company ("USAC") and/or its agents and to Solix the requalification agent for Western New Mexico Telephone Company for the purposes of verifying my eligibility for Lifeline benefits.

I certify under penalty of perjury that the information contained in my application is true and correct to the best of my knowledge and that I agree to the statements above, I acknowledge that providing false or fraudulent information to receive Lifeline benefits is punishable by law.

Subscriber's Signature

Date

OFFICIAL USE ONLY

Date of Lifeline Activation: _____

Date customer information entered/updated in National Lifeline Accountability Database: _____

Date National Lifeline Accountability Database was verified: _____

Database shows that applicant at the address above is eligible for Lifeline benefits.

Database shows that another subscriber at the address above is already receiving Lifeline benefits, but applicant attests on the Lifeline Household Worksheet that this other subscriber is from another "household" within the same address. I have had the above applicant complete the Lifeline Household Worksheet.

Customer Service Representative (CSR)

Date

If you have any questions about this application, please contact our Business Office Toll Free at 1-800-535-2230.

Mailing Address:

Western New Mexico Telephone Company
P.O. Box 150
Cliff, NM 88028



Persons in Household	Annual Household income no higher than:
1	\$17,505
2	\$23,595
3	\$29,685
4	\$35,775
5	\$41,865
6	\$47,955
7	\$54,045
8	\$60,135

Add \$6,090 for each additional person.

This program is available for existing or new customers and applies to local-basic-service only. Giving false information or failure to notify WNMT when and if you no longer qualify may require you to pay for reduced rates given in error. **For more information, questions, or to obtain an application call: 1-800-535-2330 or click here. Or call the NMPRC at 1-505-827-4592 or visit the NMPRC Website.**

Apply Now
Lifeline Terms and Conditions
